Exhibit 1

UNITED STATES DISTRICT COURT NORTH DAKOTA WESTERN DIVISION

Howard J. Miller, et al.) Civil Action No. 1:20-cv-00132-DMT-CRH
Plaintiffs,)))
v.)
Juárez Cartel, a/k/a Vicente Carrillo Fuentes Organization (a/k/a "CFO"), a/k/a La Línea))))
Defendant.)

DECLARATION OF NELSON TUCKER

I, Nelson Tucker, declare under penalty of perjury, that the following is true and correct to the best of my knowledge and belief and that I could competently testify, if called, to the following:

1. I am the CEO of Process Service Network, LLC. I am over the age of 18 years, and am not a party to this action. I have been a Registered Process Server and owner of Process Service Network, LLC since 1978. I have authored four (4) books on service of process, international investigations and court filing procedures and have conducted training seminars for the past thirty-four (34) years. I regularly serve, or cause to be served, legal documents domestically and worldwide. I personally supervise all international service and investigation assignments for clients seeking service of process in Mexico. I regularly conduct MCLE courses on international service of process for state bar associations and large private law firms. I am a Life Member of the National Association of Investigative Specialists and the International Process Servers Association. I also serve on the Advisory Board of Professional Process Server Network.

I am qualified as an expert on the following subjects: service of process, international service of process, and court filing procedures.

- 2. On April 30, 2020, I received an assignment from the law firm of Motley Rice, LLC, along with written instructions to locate the Defendant, Juárez Cartel, a/k/a Vicente Carrillo Fuentes Organization (a/k/a "CFO"), a/k/a La Linea ("Defendant"), in the above captioned case.
- 3. I conducted a search to locate the whereabouts of the Defendant. I searched Facebook, Twitter, Instagram, MySpace, YouTube, Google+, WhatsApp, WeChat, Line and Foursquare. While I reviewed a number of hits for the Juarez Cartel, I did not locate a physical address to serve the Complaint. The Juárez Cartel does not have a known address for service of process. Defendant is believed to operate and conduct illegal business in Mexico. This makes the use of a private process server or service by mail near impossible.
- 4. I also reviewed online telephone directories for Mexico, the criminal index for Mexico and the National Registry in Mexico. None of these sources is available without individual names. I have also reviewed information published by the United States government and the Mexican government on the Juárez Cartel. These sources also did not provide any physical address to serve the complaint.
- 5. Based on all available information, in my expert opinion, Defendant cannot be located.
- 6. Even if a known address was available, government sources clearly state that, (1) there is extreme danger for any process server who would attempt to complete service on the Defendant, and (2) it is unlikely, even with a known address, that any process server would be able and/or willing to serve a violent drug cartel.

- 7. The Juárez Cartel is well-known throughout Mexico and in parts of the United States as an extremely dangerous criminal organization whose members have pled guilty to or been arrested for targeted assassinations of U.S. and Mexican government officials and innocent civilians.¹ In addition, the State Department has issued warnings about travel to Mexico due to cartel violence.²
- 8. Due to the inability to serve by mail or by process server, the only possible method for completing service on the Juárez Cartel is service by publication.
- 9. In my expert opinion, the best method of service on the Juárez Cartel would be to publish a notice in Spanish, similar to the one attached hereto as Exhibit 3, in a large national Mexican newspaper such as El Universal or Milenio. These Mexican newspapers are based in Mexico City and are among the largest circulated papers in the country in paper and online.³ The notice will direct the reader to the LaMora website (http://lamoralawsuit.com/), where the full summons and complaint in English and Spanish will be located.
- 10. In addition, I would recommend service through Global Legal Notices LLC (www.GlobalLegalNotices.com). Global Legal Notices in an online service of process provider

hereto as Exhibit 2.

¹ "Juarez Drug Cartel Leader Pleads Guilty to Charges Related to U.S. Consulate Murders and Is Sentenced to Life in Prison; Defendant Admits to Directing or Participating in More than 1,500 Murders since 2008," U.S. Department of Justice, April 5, 2012, at https://www.justice.gove/opa/pr/juarez-drug-cartel-leader-pleads-guilty-charges-related-us-consulate-murders-and-sentenced; "GALLEGOS CASTRELLON is a [Barrio Aztecas] BA leader of the hit squads operating out of Ciudad Juarex, Mexico. CD-1 estimates that GALLEGOS CATRELLON is responsible for in excess of 1000 murders motivated by the desire of BA and their VCFDTA [Juarez Cartel] associates to maintain or increase their drug trafficking territory along the United States border near Ciudad Juarez." Affidavit in Support of Criminal Complaint, *United States v. Arturo Gallegos Castrellon*, 10-cr-2213-KC, Dkt. No. 3, ¶ 23 (W.D. Tx. Dec. 13, 2010), attached hereto as Exhibit 1.

² "Do Not Travel To: Sinaloa state due to crime. Reconsider Travel To: Chihuahua state due to crime." US State Department Aug. 6, 2020 Travel Advisory, at https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/mexico-travel-advisory.html, attached

³ El Universal has circulation of the print edition to more than 300,000 readers. *See* Legal Notices in Mexico, "Legal Notice Placement in Mexico," International Advertising, at https://intl-advertising.com/newspapers-mexico.html. Milenio has a print circulation of 104,000 that was calculated in 2018. The website has received over 5,000,000 visits. *See*, Eurotopics, "El Milenio Daily Newspaper," Eurotopics at https://www.eurotopics.net/en/173526/el-milenio.

that has been very successful in providing international service in circumstances where a physical address is unknown. There are a number of advantages in using this service over traditional newspapers. The notice is continuously published during the ordered time-period rather than once weekly. Additionally, it has worldwide reach rather than just the last-known city of the defendant. It may also be accessed through traditional internet search engines from a computer or smart phone. Global Legal Notices publishes the actual court documents with no limits to the size of notice. The publication also has the capability of being searched by name or case number, making it even more accessible.

11. In my expert opinion, serving the Juárez Cartel through one national newspaper in Mexico along with service through Global Legal Notices LLC will offer effective notice to the group that complies with U.S. and international service standards.

I declare and can competently testify, under penalty of perjury, that the foregoing is true and correct.

Executed on August 11, 2020, in Chatsworth, CA.

Nelson Tucker

Exhibit 1

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS EL PASO DIVISION

FOR THE WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

SEALED

ARTURO GALLEGOS CASTRELLON, *

Case No. EP: 10-14-6293-11

a/k/a "Benny,"

a/k/a "Farmero,"

a/k/a "51,"

a/k/a "Guero,"

a/k/a "Pecas,"

a/k/a "Tury"

* ******

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Lorenzo Perez, a Special Agent with the Federal Bureau of Investigation ("FBI"), being duly sworn, deposes and states:

Introduction

1. I have been a Special Agent with the FBI since March 3, 2003. I am currently assigned to the El Paso Division, Cross Border Violence Squad of the FBI. Since becoming a Special Agent, I have participated in numerous criminal investigations, including many involving organized criminal enterprises, violent gangs, alien smuggling, public corruption and drug trafficking. I have conducted or participated in physical and electronic surveillance as well as the debriefings of defendants, witnesses and informants, the review of taped conversations and records maintained by organized criminal enterprises. Through my training, education and experience, I have become familiar with the manner in which organized criminal enterprises such as those involved in drug trafficking and the smuggling of illegal aliens from

Mexico into and throughout the United States conduct their business.

- ARTURO GALLEGOS CASTRELLON, a/k/a "Benny," a/k/a "Farmero," a/k/a "51," a/k/a "Guero," a/k/a "Pecas," a/k/a "Tury," with racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d), violent crimes in aid of racketeering, in violation of Title 18, United States Code, Section 1959, conspiracy to murder an employee of the United States, in violation of Title 18, United States Code, Section 1117, murder of an employee of the United States, in violation of Title 18, United States Code, Section 1114, murder of a family member of an employee of the United States, in violation of Title 18, United States, in violation of Title 18, United States Code, Section 115, and conspiracy to commit murder in a foreign country, in violation of Title 18, United States Code, Section 956(a).
- Enforcement Administration ("DEA"), the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") Immigration and Customs Enforcement ("ICE") and local law enforcement agencies. I have personally participated in this investigation and make this affidavit based on my personal participation in this investigation and based on reports made to me by other law enforcement agents, as well as confidential informants discussed in more detail below. Except where otherwise noted, the information set forth in this affidavit has been provided to me by other law enforcement agents who have assisted in the investigation. Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the statement was made by another law enforcement officer (any of whom may have had either direct or hearsay knowledge of that statement) to whom other law enforcement officers or I have spoken or whose reports I have read and reviewed. Such statements are reported in substance and in part, unless otherwise indicated.

Likewise, information resulting from surveillance sets forth either my personal observations or information provided directly or indirectly through other law enforcement officers who conducted such surveillance.

4. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant and complaint, I have not included details of every aspect of this investigation to date. Facts not set forth herein are not being relied on in establishing probable cause. Nor do I request that this Court rely on any facts not set forth herein in reviewing this application for a criminal complaint.

The Barrio Aztecas Criminal Enterprise

- 5. Based upon my knowledge of the facts and circumstances of the present investigation, it is alleged that there is probable cause to believe that **ARTURO GALLEGOS CASTRELLON**, a/k/a "Benny," a/k/a "Farmero," a/k/a "51," a/k/a "Guero," a/k/a "Pecas," a/k/a "Tury," has committed crimes of violence in aid of racketeering, in violation of 18 United States Code ("U.S.C.") § 1959, that he has conspired to commit racketeering offenses, in violation of 18 U.S.C. § 1962(d), Conspiracy to Murder an Employee of the United States, in violation of 18 U.S.C. § 1117; Murder of an Employee of the United States, in violation of 18 U.S.C. § 1114; Murder of a Family Member of an Employee of the United States, in violation of 18 U.S.C. § 115, and that he conspired to kill in a foreign country, in violation of 18 U.S.C. § 956(a).
- 6. Since in or about 1998, the FBI has been conducting an investigation of a violent criminal organization known as the "Barrio Aztecas." That investigation, which has involved, among other things, the use of multiple cooperating witnesses and defendants, the interception of wire communications, and seizures of narcotics and firearms, has established that

the "Barrio Aztecas," also known as the "Barrio Azteca," "BA," or the "Familia Azteca" [hereinafter "BA"], is a criminal enterprise engaged in violent crimes and narcotics-trafficking in the Western District of Texas, Ciudad Juarez, Chihuahua, Mexico, and elsewhere. Armed with the FBI's information, the United States Attorney's Office for the Western District of Texas obtained an indictment and successfully prosecuted a number of BA members for racketeering and other federal offenses.

- 7. The BA, including its leadership, membership and associates, constitute an "enterprise" as defined in Sections 1959(b)(2) and 1961(4) of Title 18, United States Code, that is, a group of individuals associated in fact that engages in, and the activities of which affect, interstate and foreign commerce. The enterprise constitutes an ongoing organization whose members function as a continuing unit for the common purpose of achieving the objectives of the enterprise.
- Department of Criminal Justice (TDCJ) prison system. The purpose of the BA was to unite inmates that were native to the El Paso, Texas, and West Texas area. The original members of the BA created a charter or rules, also known as "sacred rules," which set out a command structure, or hierarchy of ranks and authority. These rules provide for a mechanism for promotion, demotion and replacement of ranking members within the BA. The BA leadership ranks are the following: the Capo Mayor, Captains, Lieutenants, Sergeants, and Soldiers, also known as "indios." It is the responsibility of the soldier to carry out the orders of the ranking membership. BA members refer to one another as "carnal." A person wishing to join the BA is called a "prospecto," or "esquina."

Purposes of the Enterprise

- 9. The purposes of the enterprise include the following:
 - a. Enriching the members and associates of the enterprise through, among other things, murder, assault, extortion, money laundering, and distribution of narcotics.
 - b. Preserving and protecting the power, territory, and profits of the enterprise through the use of intimidation, violence, threats of violence, assaults, and murder.
 - c. Promoting and enhancing the enterprise and its members' and associates' activities.
 - d. Keeping victims and others in fear of the enterprise and in fear of its members and associates through threats of violence and violence.
- Bureau of Prisons (BOP), and various cities in West Texas and Ciudad Juarez, Chihuahua, Mexico. The BA has also entered into an alliance with the Vicente Carrillo-Fuentes drug trafficking organization (VCFDTO) in Ciudad Juarez, Mexico. As part of this alliance, BA members import, export and transport controlled substances, as well as conduct enforcement operations for the VCFDTO. The VCFDTO, in exchange, pays the BA for these services, or provides the BA with controlled substances. The BA has further subdivided its enterprise and developed geographical groups to better serve the criminal aims of the organization. These include groups in Ciudad Juarez, Mexico and El Paso, Midland, and Odessa, Texas. Each of these geographical groups has some autonomy in deciding how it will achieve its criminal aims, but always within the framework and rules of the overarching BA criminal enterprise. The city of El Paso, Texas, is further subdivided into different subsections similar to the political subdivisions in the city, such as Central, Westside, Northeast, Eastside, Lower Valley, Horizon City, and Socorro.

11. In furtherance of the enterprise, BA members collect a street tax, also known as "cuota," "quota," "renta," or "taxes." The proceeds from the "cuota" are used to support members of the BA who are arrested, to pay for lawyers, bail bonds, fines, and any other fee associated with legal proceedings. The proceeds from the "cuota" are also used to purchase money orders, which are mailed through the United States Postal Service (USPS) to inmate accounts. The proceeds are also reinvested back into the BA enterprise activities for the purchase of assets, commodities, and other property that are related to the day to day functions of the BA, including firearms, ammunition, and controlled substances.

Manner and Means of the Conspiracy

Rules

12. BA members have developed a vocabulary, sacred rules, and chain of command. These rules direct BA members to be loyal, obey, protect, and serve the "family" as dictated by ranking members. New members are introduced to these rules by their "Padrinos," or individuals who serve as mentors for the new prospects entering the criminal enterprise. BA members are bound by a strict set of rules that ensure loyalty and participation in the enterprise's criminal activities. The rules require that a member must continue his participation in the organization after being released from prison. Membership is for life, and loyalty to the BA and its members takes precedence over any other relationship. A violation of the BA rules or orders may result in harsh penalties, including death. An order to carry out a punishment involving assault or murder is commonly referred to as a "green light" or "X." A "calentada" is a less severe form of punishment involving some lesser form of assault. The strict rules and harsh discipline governing the BA help insure that members and associates will function as a continuing unit, despite any changes in leadership or membership.

- BA tattoos. These tattoos commonly include the letters "B A" or "21" or the corresponding roman numeral "XXI," as a numerical representation of the letters "B" and "A." Other tattoos include the numbers "915," a reference to the El Paso, Texas, area code, and "El Paso Texas." Many BA members also obtain tattoos representing aspects of the ancient Aztec culture, such as Aztec warriors, calendars, and temples, among others.
- 14. All BA members are expected to know the rules of the BA and strictly abide by them. It is understood that BA members may be chosen to undertake a particular task, including murder and other criminal activity. The target of a particular order may be a fellow BA, blood relative, friend, or other associate of the person who is given the order. Regardless of the intended victim, or possible consequences, an order must be carried out by the BA members chosen for the task. If the BA member does not carry out the task, typically referred to as a "Jale" or job, he will be subject to disciplinary actions by the BA enterprise.

Communications

- 15. BA members who are incarcerated throughout the United States and Mexico continue to participate in the operations of the BA criminal enterprise from their prison cells by communicating through letters and telephone calls and by prison visits with other BA members and associates, friends, and family members. The BA leadership controls all BA members who are incarcerated in the United States and Mexico, as well as those BA members operating outside the prison system, which BA members and associates sometimes refer to as the "free world."
- 16. The BA enterprise utilizes the United States Postal Service ("USPS") to send and receive letters between BA members who are in prison and those who are in the "free world."

 The BA membership mails its directives using U.S. and Mexican postal services. The letters

written by BA members are sometimes called "kites" or "whilas." BA members will often utilize an individual as a conduit to receive or send letters from another BA member or associate. These conduits are called "bridges." The conduits will sometimes use fictitious names and addresses to send and receive letters and money orders to BA members who are incarcerated. The use of these conduits is intended to prevent law enforcement from finding out the identities or source of the true correspondents and the final destination of the letters.

- BA members also use telephone communications to discuss BA enterprise affairs.

 BA members who are incarcerated coordinate telephone calls with BA members and associates to give out orders. The BA enterprise uses intrastate, interstate and foreign telephone communication facilities to further the affairs of the BA enterprise.
- 18. Coded language is frequently utilized in written and oral BA communications, in order to mislead law enforcement as to the true message contained in the communication. The BA will also change the code or create transaction-specific codes to thwart law enforcement. Examples of BA coded language include "X'ed out" (former BA member), "green light" (authorization to assault or murder), and "tienda" (quota paying associate). A BA member who has fallen out of favor might be referred to in feminine terms or as an "X." The BA will also use pseudonyms or fictitious names and addresses in letters and during oral communications.
- 19. The BA holds meetings on a regular basis to discuss BA criminal enterprise business. These meetings typically call for the membership of a particular area or subdivision to attend. Some meetings will only be attended by key members. The frequency of these meetings is determined on an "as needed" basis. A meeting may be held to read and explain a letter from a captain giving the BA in the "free world" certain orders or directives.

Murders of Individuals with Ties to U.S. Consulate

- 20. On March 13, 2010, one employee of the U.S. Consulate in Ciudad Juarez, Chihuahua, Mexico, her husband and the husband of a third Consulate employee were shot and killed in separate incidents (collectively referred to as the "March 13 murders"). At approximately 2:00 pm local time, Jorge Alberto Salcido Ceniceros, a Mexican national whose wife is an employee of the U.S. Consulate in Juarez, was shot and killed in his vehicle, a white Honda Pilot. His three children were also in the vehicle and sustained minor injuries. His wife, Hilda Antillon, a Mexican national employee of the Consulate General's Consular Fraud Prevention Unit, was in a separate vehicle and was unharmed in the attack. At approximately 2:30 pm local time, U.S. citizens Lesley Enriquez, a current employee of the U.S. Consulate in Juarez, assigned to the American Citizen Services section and her husband, Arthur Haycock Redelfs, were shot and killed in their vehicle, a white Toyota SUV. Enriquez was four months pregnant, and their nine-month-old daughter was also in the vehicle but was unharmed. Enriquez was an employee of the U.S. Consulate in Juarez, assigned to the American Citizen Services section; Redelfs was an El Paso County Sheriff's Detention Officer.
- 21. A task force comprised of, among other agencies, the FBI, DEA, ATF, ICE and local law enforcement in the El Paso area have been investigating the March 13 murders. During the course of that investigation, multiple confidential sources of information have reported that the murders were the result of hits ordered by the BA.

GALLEGOS CASTRELLON's Role in the Enterprise

22. Based on debriefings of cooperating witnesses and intercepted communications, I have learned that GALLEGOS CASTRELLON is one of the leaders of the BA and that GALLEGOS CASTRELLON directs BA activities, including narcotics trafficking and acts of violence by BA members, both in Mexico and the United States. Among other things,

GALLEGOS CASTRELLON helps direct the activities of BA hit teams, i.e., groups of BA members who carry out orders to kill rivals and others.

- 23. Based on debriefings of a Cooperating Defendant (CD-1), GALLEGOS

 CASTRELLON is a BA leader of the hit squads operating out of Ciudad Juarez, Mexico. CD-1

 estimates that GALLEGOS CASTRELLON is responsible for in excess of 1000 murders

 motivated by the desire of BA and their VCFDTO associates to maintain or increase their drug

 trafficking territory along the United States border near Ciudad Juarez. CD-1 stated that

 GALLEGOS CASTRELLON is also responsible for putting the "hit" on the Honda Pilot and for

 directing the murders of the U.S. Consulate personnel. When the Honda Pilot and Toyota SUV

 were found, according to CD-1, GALLEGOS CASTRELLON was responsible for directing the

 hit squads to kill the occupants of the Toyota SUV and Honda Pilot so there would not be a

 "mistake."
- 24. CD-1 stated that most BA members are engaged in drug trafficking, including large quantities of marijuana and cocaine. Some of these drugs are distributed locally in Ciudad Juarez as well as smuggled into the United States for distribution. CD-1 also stated that some of the drug proceeds are sent from Ciudad Juarez to the commissary accounts of BA members that are incarcerated in the United States. CD-1 explained that BA receives firearms, ammunition, and stolen motor vehicles from the United States. The motor vehicles are generally obtained from owners who are seeking to collect from their insurance companies. CD-1 stated that GALLEGOS CASTRELLON was responsible for acquiring the weapons and ammunition from the United States.
- 25. CD-1 admitted to being a BA member involved in the hit squads over the past several years. CD-1 also admitted to being involved in the Consulate murders that occurred on

March 13, 2010, in Ciudad Juarez. CD-1 stated that the BA made a call to El Paso, Texas confirming the "hit." CD-1 was charged in a multiple-count indictment, pleaded guilty, and is currently serving multiple life sentences.

Arrest of GALLEGOS CASTRELLON

- 26. On or about November 26, 2010, a BA member was arrested by Mexican law enforcement officers. The subject subsequently provided law enforcement officers with the location of GALLEGOS CASTRELLON's residence. Mexican law enforcement officers were able to secure the perimeter of the neighborhood. After locating the residence, Mexican law enforcement officers entered and searched the residence, at which time GALLEGOS CASTRELLON jumped from the second floor balcony to a large pine tree that was located next to the residence. After GALLEGOS CASTRELLON recognized that he was discovered in the tree, he fired upon Mexican law enforcement officers and jumped to an adjoining property, where he covered himself with bushes. GALLEGOS CASTRELLON was located and subsequently placed under arrest.
- 27. On or about November 29, 2010, other FBI agents and I interviewed GALLEGOS CASTRELLON in Mexico City, Mexico. GALLEGOS CASTRELLON was advised of his Miranda rights and agreed to waive those rights and speak to U.S. law enforcement officers.

 GALLEGOS CASTRELLON executed a written Miranda waiver form.
- 28. During the interview, GALLEGOS CASTRELLON admitted that he was a member of the BA and that he participated in the March 13 murders. GALLEGOS CASTRELLON stated that approximately week before the March 13 murders, BA members had circulated a vehicle description of a white Honda Pilot, because that vehicle was believed to be used by members of the rival Sinaloa drug cartel. GALLEGOS CASTRELLON admitted that he

authorized a "hit" on the white Honda Pilot, which required BA members to kill the occupants of that vehicle upon its discovery.

- encountered both a white Honda Pilot [a reference to the vehicle driven by Ceniceros] and a white Toyota SUV [a reference to the vehicle occupied by Enriquez and Redelfs]. According to GALLEGOS CASTRELLON, there was confusion among the BA members as to whether the Honda Pilot or the Toyota SUV was the same vehicle that was the target of the hit. GALLEGOS CASTRELLON stated that a BA leader named "Popeye" and his hit team attacked Ceniceros's Honda Pilot while a BA leader named "Zorro" and his hit team attacked Enriquez and Redelfs' Toyota. Although GALLEGOS CASTRELLON appeared to have minimized his level of involvement in the murders in this interview, claiming he merely passed on orders to hit targets from "Diego" to those who acted upon the orders, he nonetheless acknowledged his membership within BA, his position of authority, particularly as to the activation of "hits" upon suspected enemies, and his knowledge that BA members carried out the ordered hit, albeit mistakenly on , after GALLEGOS-CASTRELLON authorized the "hit" on the white Honda Pilot.
- 30. In addition, GALLEGOS CASTRELLON indicated that he first became a regular associate of BA in 2006, and that his early assignment was to sell small quantities of drugs. By 2008-09, his assignment had expanded to include trafficking hundreds of kilograms of marijuana per month into the United States. GALLEGOS CASTRELLON indicated that he was in charge of sending roughly 270 pounds of marijuana per week into the United States.

Conclusion

31. Based on the foregoing, I respectfully submit that there is probable cause to believe that, in the Western District of Texas and elsewhere, **ARTURO GALLEGOS**

CASTRELLON, a/k/a "Benny," a/k/a "Farmero," a/k/a "51," a/k/a "Guero," a/k/a "Pecas," a/k/a "Tury," the defendant, did knowingly commit crimes of violence in aid of racketeering, in violation of 18 United States Code ("U.S.C.") § 1959, that he conspired to commit racketeering offenses, in violation of 18 U.S.C. § 1962(d), that he engaged in Conspiracy to Murder an Employee of the United States, in violation of 18 U.S.C. § 1117; Murder of an Employee of the United States, in violation of 18 U.S.C. § 1114; Murder of a Family Member of an Employee of the United States, in violation of 18 U.S.C. § 115, and that he conspired to kill in a foreign country, in violation of 18 U.S.C. § 956(a).

Lorenzo Perez

Special Agent

Federal Bureau of Investigation

Sworn to before me this __13 day of December, 2010.

UNITED STATES MAGISTRATE JUDGE WESTERN DISTRICT OF TEXAS

Exhibit 2

Mexico Travel Advisory

Travel Advisory Mexico - Level 4: Do Not August 6, 2020



Do not travel to Mexico due to **COVID-19**. Exercise increased caution in Mexico due to **crime** and **kidnapping**. Some areas have increased risk. Read the entire Travel Advisory.

Read the Department of State's <u>COVID-19</u> <u>page</u> before you plan any international travel.

The Centers for Disease Control and Prevention (CDC) has issued a Level 3 Travel Health Notice for Mexico due to COVID-19.

Travelers to Mexico may experience border closures, airport closures, travel prohibitions, stay at home orders, business closures, and other emergency conditions within Mexico due to COVID-19. Visit the Embassy's <u>COVID-19 page</u> for more information on COVID-19 in Mexico.

Do Not Travel To:

- Colima state due to crime.
- Guerrero state due to crime.
- Michoacán state due to crime.
- Sinaloa state due to crime.
- Tamaulipas state due to crime and kidnapping.

Reconsider Travel To:

- Chihuahua state due to crime.
- Coahuila state due to crime.
- Durango state due to crime.
- Jalisco state due to crime.
- Mexico state due to crime.

- Morelos state due to crime.
- Worklos state due to crime.
- Nayarit state due to crime.
- Nuevo Leon state due to crime.
- San Luis Potosi state due to crime.
- Sonora state due to crime.
- Zacatecas state due to crime.

For detailed information on all states in Mexico, please see below.

Violent crime – such as homicide, kidnapping, carjacking, and robbery – is widespread. Armed criminal groups have been known to target and rob commercial vessels, oil platforms, and offshore supply vessels in the Bay of Campeche.

The U.S. government has limited ability to provide emergency services to U.S. citizens in many areas of Mexico, as travel by U.S. government employees to certain areas is prohibited or significantly restricted.

U.S. government employees may not travel between cities after dark, may not hail taxis on the street, and must rely on dispatched vehicles, including from app-based services like Uber or from regulated taxi stands. U.S. government employees may not drive from the U.S.-Mexico border to or from the interior parts of Mexico, with the exception of daytime travel within Baja California, between Nogales and Hermosillo on Mexican Federal Highway 15D, and between Nuevo Laredo and Monterrey on Highway 85D (during daylight hours and with prior Consulate authorization only).

Read the country information page.

If you decide to travel to Mexico:

- See the <u>U.S. Embassy's web</u> <u>page</u> regarding COVID-19.
- Visit the CDC's webpage on <u>Travel and</u> <u>COVID-19</u>[™].

 Keep your traveling companions and family back home informed of your travel plans. If separating from your travel group, send a friend your GPS location. If taking a taxi alone, take a photo of the taxi number and/or license plate and text to a friend.

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- Use toll roads when possible and avoid driving alone or at night. In many states, police presence and emergency services are extremely limited outside the state capital or major cities.
- Exercise increased caution when visiting local bars, nightclubs, and casinos.
- Do not display signs of wealth, such as wearing expensive watches or jewelry.
- Be extra vigilant when visiting banks or ATMs.
- Enroll in the <u>Smart Traveler Enrollment</u>
 <u>Program (STEP)</u> to receive Alerts and make it easier to locate you in an emergency.
- Follow the Department of State on Facebook[™] and Twitter[™].
- Review the <u>Crime and Safety Reports</u> for Mexico.
- Mariners planning travel to Mexico should check for U.S. maritime advisories and alerts at https://www.maritime.dot.gov/msci-alerts, which include instructions on reporting suspicious activities and attacks to Mexican naval authorities.
- Prepare a contingency plan for emergency situations. Review the <u>Traveler's Checklist</u>.

Aguascalientes state – Exercise Increased Caution

Exercise increased caution due to crime.

There are no restrictions on travel for U.S. government employees.

Baja California state - Exercise Increased Caution

Exercise increased caution due to crime.

Criminal activity and violence occur throughout the state. Particularly notable is the number of homicides in non-tourist areas of Tijuana. Most homicides appeared to be targeted; however, criminal organization assassinations and turf battles can result in bystanders being injured or killed.

Due to poor cellular service and hazardous road conditions, U.S. government employees may only travel on Highway 2D between Mexicali and Tijuana during daylight hours.

There are no additional restrictions on travel for U.S. government employees in Baja California, which includes tourist areas in: **Ensenada, Rosarito,** and **Tijuana.**

Baja California Sur state – Exercise Increased Caution

Exercise increased caution due to crime.

Criminal activity and violence occur throughout the state, including in areas frequented by U.S. citizens. Bystanders have been injured or killed in shooting incidents related to criminal organization turf battles. Petty crime occurs frequently in tourist areas.

There are no restrictions on travel for U.S. government employees in Baja California Sur, which includes tourist areas in: Cabo San Lucas, San Jose del Cabo, and La Paz.

Campeche state – Exercise Increased Caution

Exercise increased caution due to crime. Police presence and emergency response are extremely limited outside of the state capital.

There are no restrictions on travel for U.S. government employees in Campeche state, which includes tourist areas in: **Campeche City**, **Calakmul**, **Edzna**, and **Palizada**.

Chiapas state - Exercise Increased Caution

Exercise increased caution due to crime.

There are no restrictions on travel for U.S. government employees in Chiapas state, which includes tourist areas in: Palenque, San Cristobal de las Casas, and Tuxtla Gutierrez.

Chihuahua state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and gang activity are common. The vast majority of homicides are targeted assassinations against members of criminal organizations. Battles for territory between criminal groups have resulted in violent crime in areas frequented by U.S. citizens and U.S. government employees, including restaurants and malls during daylight hours. Bystanders have been injured or killed in shooting incidents.

U.S. government employees may only travel to the following locations within the state of Chihuahua and with the noted restrictions:

Ciudad Juarez: They may travel at any time to the area of Ciudad Juarez bounded to the east by Bulevar Independencia; to the south by De los Montes Urales/Avenida Manuel J Clouthier/Carretera de Juarez; to the west by Via Juan Gabriel/Avenida de los Insurgentes/Calle Miguel Ahumada/Francisco Javier Mina/Melchor Ochampo; and to the north by the U.S.-Mexico border.

Additionally, direct travel to the Ciudad Juarez airport and the factories (maquilas) located

along Bulevar Independencia and Las Torres is permitted. Travel to the factory and cattle inspection station in San Jeronimo is permitted only through the United States via the Santa Teresa port of entry; travel via Anapra is prohibited.

> Chihuahua City: Employees may travel at any time to the area of Chihuahua City bounded to the north by Avenida Transformación; to the east by Avenida Tecnológico/Manuel Gómez Morin; to the west by the city limit boundary; and to the south by Route 16/Calle Tamborel.

U.S. government employees may only travel from Ciudad Juarez to Chihuahua City during daylight hours via Highway 45, with stops permitted only at the Federal Police station, the overlook, the border inspection station at KM 35, and the shops and restaurants on Highway 45 in the town of Villa Ahumada.

Additionally, travel is permitted to factories (maquilas) outside this area via the most direct route. Direct travel to Abraham Gonzales International Airport is also permitted.

- Nuevo Casas Grandes Area (including Nuevo Casas Grandes, Casas Grandes, Mata Ortiz, Colonia Juarez, Colonia LeBaron, and Paquime): U.S. government employees may only travel to the Nuevo Casas Grandes area during daylight hours through the United States, entering Mexico at the Palomas Port of Entry on New Mexico Route 11 before connecting to Mexico Highway 2 to Nuevo Casas Grandes. Employees are permitted to stay overnight in the cities of Nuevo Casas Grandes and Casas Grandes only.
- Ojinaga: U.S. government employees must travel to Ojinaga via U.S. Highway

67 through the Presidio, Texas Port of Entry.

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 Palomas: U.S. government employees must travel to Palomas via U.S. highways through the Palomas Port of Entry in Columbus, New Mexico.

Mexican authorities in Chihuahua occasionally operate at a heightened level of security, sometimes referred to as "Alerta Roja" (Red Alert). During those periods, U.S. government personnel must receive prior approval and exercise increased caution when visiting Mexican law enforcement offices or installations.

Travel by U.S. government employees to all other areas of the state of Chihuahua, including Copper Canyon, is prohibited.

Visit our website for <u>Travel to High-Risk Areas</u>.

Coahuila state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and unpredictable gang activity are common in parts of Coahuila state.

Travel for U.S. government employees is limited to the following areas with the noted restrictions:

- Piedras Negras and Ciudad Acuña: U.S. government employees must travel directly from the United States and observe a midnight to 6:00 a.m. curfew in both cities.
- Highway 40 and areas south within Coahuila state.

U.S. government employees may not travel to other areas of Coahuila.

Visit our website for Travel to High-Risk Areas.

Colima state - Do Not Travel

Do not travel due to crime.

Violent crime and gang activity are widespread.

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U.S. government employees may not travel to:

- Tecoman
- Within 20 km of the Colima/Michoacan border
- Highway 110 from the town of La Tecomaca to the Jalisco border

In **Manzanillo**, U.S. government employees are limited to the tourist and port areas.

Visit our website for <u>Travel to High-Risk Areas</u>.

Durango state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and gang activity are common in parts of Durango state.

U.S. government employees may not travel to the area west and south of Highway 45.

Visit our website for Travel to High-Risk Areas.

Guanajuato state - Exercise Increased Caution

Exercise increased caution due to crime.

Gang-related violence occurs in Guanajuato, primarily in the south of the state, near the border with Michoacán. This violence is often linked to the organized theft of petroleum and natural gas from the state oil company and other suppliers.

The U.S. Embassy has updated its travel restrictions for U.S. personnel visiting Guanajuato state. U.S. government employees may not travel to the area south of and including Highway 45D, Celaya, Salamanca, and Irapuato.

Guerrero state - Do Not Travel

Do not travel due to crime.

Crime and violence are widespread. Armed groups operate independently of the government in many areas of Guerrero. Members of these groups frequently maintain roadblocks and may use violence towards travelers.

U.S. government employees may not travel to the entire state of Guerrero, including **Acapulco**, **Zihuatanejo**, **Ixtapa**, and **Taxco**.

Visit our website for <u>Travel to High-Risk Areas</u>.

Hidalgo state - Exercise Increased Caution

Exercise increased caution due to crime.

There are no restrictions on travel for U.S. government employees.

Jalisco state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and gang activity are common in parts of Jalisco state. In metropolitan Guadalajara, battles for territory control between criminal groups take place in areas frequented by U.S. citizens. Shooting incidents between criminal groups have injured or killed innocent bystanders.

U.S. government employees may not travel to:

- Within 20 km (12 miles) of the Jalisco/Michoacán border, south of Route 120
- Highway 80 south of Cocula
- Highway 544 from Mascota to San Sebastian del Oeste

There are no restrictions on travel for U.S government employees to: Guadalajara Metropolitan Area, Riviera Nayarit (including Puerto Vallarta), Chapala, and Ajijic.

Visit our website for Travel to High-Risk Areas.

Mexico Gity - Exercise increased Gaution

Exercise increased caution due to crime.

Both violent and non-violent crime occur throughout Mexico City. Use additional caution, particularly at night, outside of the frequented tourist areas where police and security patrol more routinely. Petty crime occurs frequently in both tourist areas and non-tourist areas.

There are no restrictions on travel for U.S. government employees.

Mexico state (Estado de Mexico) – Reconsider Travel

Reconsider travel due to crime.

Both violent and non-violent crime are common throughout Mexico state. Use caution in areas outside of the frequented tourist areas, although petty crime occurs frequently in tourist areas as well.

There are no restrictions on travel for U.S government employees.

Visit our website for Travel to High-Risk Areas.

Michoacán state - Do Not Travel

Do not travel due to crime.

Crime and violence are widespread in Michoacán state. Travel for U.S. government employees is limited to the following areas with the noted restrictions:

- Highway 15D: U.S. government employees may travel on Federal Toll Highway (cuota) 15D to transit the state between Mexico City and Guadalajara.
- Morelia: U.S. government employees may travel by air and by land using Highways 43 or 48D from Highway 15D.
- Lazaro Cardenas: U.S. government
 amployees must travel by air only and

limit activities to the city center or port areas.

Visit our website for <u>Travel to High-Risk Areas</u>.

Morelos state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and gang activity are common in parts of Morelos state.

There are no restrictions on travel for U.S. government employees.

Visit our website for <u>Travel to High-Risk Areas</u>.

Nayarit state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and gang activity are common in parts of Nayarit state. U.S. government employees may not travel to:

- Tepic
- San Blas

There are no restrictions on travel for U.S government employees to: Riviera Nayarit (including Nuevo Vallarta, Punta Mita, and Bahia de Banderas), and Santa Maria del Oro.

Visit our website for Travel to High-Risk Areas.

Nuevo Leon state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and unpredictable gang activity are common in parts of Nuevo Leon state. There are no restrictions on travel for U.S. government employees.

Visit our website for <u>Travel to High-Risk Areas</u>.

Oaxaca state - Exercise Increased Caution

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Exercise increased caution due to crime.

U.S. government employees may not travel to:

- Isthmus region of Oaxaca, defined by Highway 185D to the west, Highway 190 to the north, and the Oaxaca/Chiapas border to the east. This includes the towns of Juchitan de Zaragoza, Salina Cruz, and San Blas Atempa.
- Highway 200 northwest of Pinotepa.

There are no restrictions on travel for U.S. government employees to other parts of Oaxaca state, which include tourist areas in: Oaxaca City, Monte Alban, Puerto Escondido, and Huatulco.

Puebla state - Exercise Increased Caution

Exercise increased caution due to crime.

Gang-related violence occurs in Puebla state, and is often linked to the organized theft of petroleum and natural gas from the state oil company and other suppliers.

There are no restrictions on travel for U.S. government employees.

Queretaro state – Exercise Increased Caution

Exercise increased caution due to crime.

There are no restrictions on travel for U.S. government employees.

Quintana Roo state - Exercise Increased Caution

Exercise increased caution due to crime.

Criminal activity and violence, including homicide, occur throughout the state. Most homicides appear to be targeted; however, criminal organization assassinations and turf battles between criminal groups have resulted in violent crime in areas frequented by U.S. citizens.

Bystanders have been injured or killed in shooting incidents.

There are no restrictions on travel for U.S. government employees in Quintana Roo state, which include tourist areas in: Cancun, Cozumel, Isla Mujeres, Playa del Carmen, Tulum, and the Riviera Maya.

San Luis Potosi state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and unpredictable gang activity are common in parts of San Luis Potosi state. There are no restrictions on travel for U.S. government employees.

Visit our website for <u>Travel to High-Risk Areas</u>.

Sinaloa state - Do Not Travel

Do not travel due to crime.

Violent crime is widespread. Criminal organizations are based and operating in Sinaloa state.

Travel for U.S. government employees is limited to the following areas with the noted restrictions:

- Mazatlan: U.S. government employees
 may travel by air or sea only. U.S.
 government employees are limited to the
 Zona Dorada and historic town center,
 and must use direct routes when
 traveling to and from those locations and
 the airport and cruise terminals.
- Los Mochis and Topolobampo: U.S.
 government employees may travel by air
 or sea only. U.S. government employees
 are restricted to the city and the port,
 and must use direct routes when
 traveling between these locations and to
 and from the airport.

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Sonora state - Reconsider Travel

Reconsider travel due to crime.

Sonora is a key location used by the international drug trade and human trafficking networks.

U.S. government employees traveling to and from Hermosillo may travel between the border crossing points of DeConcini and Mariposa in Nogales only during daylight hours and only on Highway 15, including stops at restaurant/restroom facilities along Highway 15.

U.S. government employees may travel to Puerto Peñasco via the Lukeville/Sonoyta crossing during daylight hours on Federal Highway 8. U.S. government employees may also travel directly from the nearest U.S. Ports of Entry to San Luis Rio Colorado, Cananea, and Agua Prieta but may not go beyond the city limits without official Consulate Nogales clearance.

U.S. government employees may not travel to:

- The triangular region west of the Mariposa Port of Entry, east of Sonoyta, and north of Altar Municipality.
- The district within Nogales that lies to the north of Avenida Instituto Tecnologico and between Periferico (Bulevar Luis Donaldo Colosio) and Corredor Fiscal (Federal Highway 15D), and the residential areas to the east of Plutarco Elias Calles.
- The eastern edge of the state of Sonora, which borders the state of Chihuahua: all points along that border east of Federal Highway 17, the road between Moctezuma and Sahuaripa, and State Highway 20 between Sahuaripa and the intersection with Federal Highway 16.
- All points south of Federal Highway 16 and east of Highway 15 (south of

Hermosillo), as well as Empalme, Guaymas, and all points south, including Obregon and Navojoa. U.S. government employees may travel to Alamos by air only and may not go beyond the city limits.

In addition, U.S. government employees may not use taxi services in Nogales.

Visit our website for <u>Travel to High-Risk Areas</u>.

Tabasco state – Exercise Increased Caution

Exercise increased caution due to crime.

There are no restrictions on travel for U.S. government employees.

Tamaulipas state - Do Not Travel

Do not travel due to crime and kidnapping.

Organized crime activity - including gun battles, murder, armed robbery, carjacking, kidnapping, forced disappearances, extortion, and sexual assault – is common along the northern border and in Ciudad Victoria. Criminal groups target public and private passenger buses as well as private automobiles traveling through Tamaulipas, often taking passengers hostage and demanding ransom payments. Heavily armed members of criminal groups often patrol areas of the state in marked and unmarked vehicles and operate with impunity particularly along the border region from Reynosa northwest to Nuevo Laredo. In these areas, local law enforcement has limited capability to respond to crime incidents. There are greater law enforcement capabilities in the tri-city area of Tampico, Ciudad Madero, and Altamira, which has a lower rate of violent criminal activity compared to the rest of the state.

U.S. government employees may only travel within a limited radius around and between the U.S. Consulates in Nuevo Laredo and Matamoros, their

limited downtown sites. U.S. government employees may not travel between cities in Tamaulipas using interior Mexican highways and they must observe a curfew between midnight and 6:00 a.m. in the cities of Matamoros and Nuevo Laredo. U.S. government employees can travel between Nuevo Laredo and Monterrey on Highway 85D only during daylight hours and with prior Consulate authorization.

Visit our website for <u>Travel to High-Risk Areas</u>.

Tlaxcala state – Exercise Increased Caution

Exercise increased caution due to crime.

There are no restrictions on travel for U.S. government employees.

Veracruz state – Exercise Increased Caution

Exercise increased caution due to crime.

There are no restrictions on travel for U.S. government employees.

Yucatan state - Exercise Increased Caution

Exercise increased caution due to crime. Police presence and emergency response are extremely limited outside of the state capital.

There are no restrictions on travel for U.S. government employees in Yucatan state, which includes tourist areas in: **Chichen Itza, Merida, Uxmal,** and **Valladolid.**

Zacatecas state - Reconsider Travel

Reconsider travel due to crime.

Violent crime and gang activity are common in parts of Zacatecas state. U.S. government employees may not travel to the zone south of Highway 45 and west of Highway 23. U.S. government employees may not travel to the entire municipality of Fresnillo, though they may transit both highways through Fresnillo without stonning.

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There are no other restrictions on travel for U.S. government employees.

Visit our website for <u>Travel to High-Risk Areas</u>.

Last Update: Reissued with updates to COVID-19 information.

Exhibit 3

To Named Defendant:

JUÁREZ CARTEL, a/k/a VICENTE CARRILLO FUENTES ORGANIZATION (a/k/a "CFO"), a/k/a LA LÍNEA

IN THE UNITED STATES DISTRICT COURT FOR NORTH DAKOTA, *Howard Miller, et al. v. Juárez Cartel*, Case No. 1:20-cv-00132-DMT-CRH, Judge Daniel M. Traynor issued an order for service by publication on --DATE---. It was ordered that notice of the above-captioned action should be published in Spanish in a national newspaper in Mexico once a week for six weeks and should also be published online for six weeks by Global Legal Notices LLC.

Notice is hereby served on Defendant listed above. Defendant is hereby summoned and required to serve upon The Clerk of the Court, United States District Court for North Dakota, 655 1st Ave. North, #130, Fargo, ND 58102-4932, an Answer to the Complaint within twenty-one (21) days after service of the summons, exclusive of the day of service. If Defendant fails to do so, judgment by default may be taken against the Defendant for the relief demanded in the Complaint. The Complaint was filed for violations of 18 U.S.C. § 2333 constituting acts of international terrorism; assault and battery; wrongful death; survival actions; negligent and/or intentional infliction of emotional distress; and loss of consortium.

This notice as well as the complaint and summonses are posted on the website http://lamoralawsuit.com.

BORRADOR DE NOTIFICACIÓN LEGAL PROPUESTA

Al Demandado nombrado:

CÁRTEL DE JUÁREZ, alias ORGANIZACIÓN VICENTE CARRILLO FUENTES (alias "OVCF"), alias LA LÍNEA

ANTE EL TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS PARA DAKOTA DEL NORTE, *Howard Miller, et al. c. Cártel de Juárez*, Caso núm. 1:20-cv-00132-DMT-CRH; el juez Daniel M. Traynor dictó una orden de notificación por edicto el -- FECHA ---, ordenando que Global Legal Notices LLC publique en español la notificación del caso de epígrafe en un periódico nacional de México una vez por semana durante seis semanas, y también en línea durante seis semanas.

Por medio de la presente, se realiza la notificación al Demandado arriba indicado. Asimismo, se cita al Demandado y se le exige presentar una Contestación a la Demanda ante el Secretario del Tribunal, dirigida a The Clerk of the Court, United States District Court for North Dakota, 655 1st Ave. North, #130, Fargo, ND 58102-4932, en un plazo de 21 (veintiún) días desde de la notificación de la citación, sin incluir el día de la notificación. Si el Demandado no lo hace, se podrá dictar una sentencia en rebeldía contra el Demandado por la reparación solicitada en la Demanda. La Demanda fue interpuesta por violaciones de la Sección 2333 del Título 18 del Código de Estados Unidos (18 U.S.C. § 2333), que constituyen actos de terrorismo internacional; agresión con lesiones; homicidio culposo; acciones de los sobrevivientes; causación dolosa o negligente de sufrimiento psicológico y pérdida de consorcio.

Tanto esta notificación como la demanda y las citaciones se encuentran publicadas en el sitio web: http://lamoralawsuit.com.







CERTIFIED TRANSLATION

I, Wolf Markowitz, Manager at Targem Translations, Inc., located at 143 Rodney Street in Brooklyn, New York, a language service with a firm track record of providing expert language services to the business and legal community of more than 50 years, do hereby certify that our team of translators, editors and proofreaders are professionally trained and vastly experienced in providing professional translations, from English into Mexican Spanish and vice versa; and they have professionally translated the document referenced as "Legal Notice -Case No. 1:20-cv-00123-DMT-CRH" from English into Mexican Spanish, faithfully, accurately and completely, to the best of their expertise and experience.

Date: August 20, 2020

Wolf Markowitz

Notary

ROCHAL WEISS NOTARY PUBLIC-STATE OF NEW YORK No 01WE6293785 Qualified in Kings County My Commission Expires 12-16-2021